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| 09/282,285 | 03/31/1999 | DAVID FEINLEIB | MS1-288US | 8387 |

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LEE & HAYES PLLC
421 W RIVERSIDE AVENUE SUITE 500
SPOKANE, WA 99201

EXAMINER

HUYNH, SON P

| ART UNIT | PAPER NUMBER |
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2611

DATE MAILED: 01/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/282,285

Applicant(s)

FEINLEIB ET AL.

Examiner

Son P Huynh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-43 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 26, 43 are rejected under 35 U.S.C. 102(e) as being anticipated by Nawaz et al. (US 6,421,694).

Regarding claim 26, Nawaz discloses The channel guide provides a list of content

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providers related to a desired channel and allows a user to choose which content providers will display data in the viewer 140 (see col. 8, line 65-col. 9, line 2); Nawaz further discloses only the selected options to display on the screen (see col. 10, lines 31-55). In addition, Nawaz discloses the control 252 obtains a sequence of URL stored in the user-preference storage and uses the URLs to retrieve data items or messages from multiple providers (see col. 11, lines 48-56); The data items displayed in the ticker and the content provider are automatically changed (see col. 7, line 54-col. 8, line 45). Inherently, the method comprises monitoring an IP address to receive triggers, each trigger containing at least one item for a ticker; forming an array of the items received in the triggers; and displaying the array within the ticker.

Regarding claim 43, Nawaz discloses the channel guide provides a list of content providers related to a desired channel and allows a user to choose which content providers will display data in the viewer 140 (see col. 8, line 65-col. 9, line 2); Nawaz further discloses only the selected options to display on the screen (see col. 10, lines 31-55). In addition, Nawaz discloses the control 252 obtains a sequence of URL stored in the user-preference storage and uses the URLs to retrieve data items or messages from multiple providers (see col. 11, lines 48-56); The data items displayed in the ticker and the content provider are automatically changed (see col. 7, line 54-col. 8, line 45). Inherently, client software architecture, comprising: a first code segment for monitoring a broadcast or multicast IP address to receive triggers, each triggers containing at least

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one item for a ticker; and a second code segment for rendering the ticker with the items received via the triggers.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nawaz et al. (US 6,421,694) as applied to claim 26 above, and in view of ATVEF.

Regarding claim 27, Nawaz teaches a method as discussed in the rejection of claim 26. However, Nawaz does not specifically disclose receiving announcement at another IP address, the announcements being used to announce upcoming transmission of the triggers.

ATVEF teaches receiving announcement at another IP address, the announcements being used to announce upcoming transmission of the triggers (see page 13, line 29- page 16, line 14). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nawaz to incorporate the feature at

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taught by ATVEF in order to notify user in advance the upcoming triggers so that the user can selected a desired enhancing content to view.

6. Claims 1 –6, 8-17, 20-22, 30-36, 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shoff et al. (US 6,240,555) and in view “Advanced Television Enhancement Forum Specification (ATVEF).

Regarding claim 1, Shoff et al. teaches receiving data structure 48 containing information 58 specifying how to receive upcoming multicast enhancing content, the data structure 48 being sent at a time prior to sending the enhancing content, the enhancing content associated with the streaming content (see figure 3 and col. 7, lines 1-8); receiving the streaming content; receiving the enhancing content according to the information contained in the data structure 48 and at a time in synchronization with the streaming content; and enhancing the streaming content with the enhancing content (see figures 6-8C). However Shoff et al. does not specifically disclose the data structure is received on a monitored address containing information specifying when to receive upcoming enhancing content.

ATVEF teaches receiving an announcement containing information specifying how and when to receive upcoming enhancing content (content and triggers) and being at least one of broadcast and multicast (see page 12, lines 20-37, page 28, line 34- page 30, line 11). ATVEF further discloses if a new enhancement is announced while

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an existing enhancement is being displayed, the client may present the user with the option to begin receiving that announcement data (content and triggers) or do so automatically (see page 27, lines 20-24). Inherently, the announcements are received on a monitored address. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shoff to incorporate the feature as taught by ATVEF in order to increase security of the receiver and notify user in advance the time to access the enhancing content.

Regarding claim 2, Shoff et al. in view of ATVEF teaches a method as discussed in the rejection of claim 1. Further ATVEF teaches the announcement contains parameters selected from a group comprising: a broadcast locator, a time when a corresponding enhancing content to be sent, a protocol, an identity of the streaming content that the enhancement content enhances, and a page that contains a starting point for the enhancing content (see page 11, lines 23-32, page 28, line 27- page 30, line 11).

Regarding claim 3, ATVEF teaches the enhancing content comprises triggers and data files (page 26, lines 25-27), the method comprising:
receiving the data files; and
receiving the triggers at times in synchronization with the streaming content, the triggers causing operation involving the data files in order to timely introduce the enhancing

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content with the streaming content (see page 26, line 38- page 27, line 11 and page 30, lines 15-19).

Regarding claim 4, Shoff et al. discloses the enhancing content further comprising target resource (dependency files) that contain instructions to present content contained in the data files, the method further comprising the step of delivering the data files together with the dependency files in a "cabinet (CAB) files format (see col. 9, line 65 – col. 10, line 17).

Regarding claim 5, Shoff et al. discloses the receiving steps comprise the step of receiving the streaming content and the enhancing content in a composite stream of one source (see col. 10, lines 18-24 or figure 4).

Regarding claim 6, Shoff et al. discloses the receiving steps comprise receiving the streaming content from a first source and receiving enhancing content from a second source different from the first source (see figure 4 and col. 7, lines 51-55).

Regarding claim 8, the limitations of claim direct toward embody the method of claim 1 in a "computer readable medium". It would have been obvious to embody the procedure of Shoff and ATVEF discussed with respect to claim 1 in a "computer readable medium" in order that a processor could automatically perform the instruction.

Regarding claim 9, Shoff et al. discloses a method for synchronizing streaming content with enhancing content comprising:
sending data structure 48 comprising URL (see figure 3); Shoff further discloses the digital data in the target resource dynamically change the display layout (see figures 6-8C). and the author of a target resource can use the new tags and extension attributes to formulate how and when the browser renders the supplemental content along with the continuous data stream see (col. 13, lines 21-26) wherein the tags comprises triggers (see table 2 col. 13, line 50-col. 14, line 40). However, Shoff does not explicitly discloses forming announcements containing information specifying a time at which to receive upcoming triggers, monitoring the second address to receive the announcements; filtering the announcement to retain selected announcements;

ATVEF teaches receiving an announcement containing information specifying how and when to receive upcoming enhancing content (content and triggers) and being at least one of broadcast and multicast (see page 12, lines 20-37, page 28, line 34-page 30, line 11). ATVEF further discloses when the client first receive a trigger, the client notify the user that the content is available or , alternatively, navigate to that content automatically. Clients may choose not to notify the user if they believe that they cannot display the enhancement because the content referred to by the specified URL is not available. If a new enhancement is announced while an existing enhancement is being displayed, the client may present the user with the option to begin receiving that announcement data (content and triggers) or do so automatically (see page 27, lines 1-

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24). Inherently, the method comprising: monitoring the second address to receive the announcements; filtering the announcements to retain selected announcements; monitoring the first address at the time specified in the selected announcements to receive the triggers. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shoff to incorporate the features as taught by ATVEF in order to increase security of the receiver and notify user in advance the time to access the enhancing content.

Regarding claim 10, ATVEF teaches forming step comprises the step of creating an announcement to contain parameters selected from a group comprising: a broadcast locator, a time when a corresponding trigger is to be broadcast, a broadcast protocol, an identity of the streaming content that the enhancing content enhances, and a page that contains a starting point for enhancing content (see page 28, line 27- page 30, line 11).

Regarding claim 11, ATVEF teaches the processing step comprises the step of receiving the enhancing content according to a predetermined protocol and storing the enhancing content (see page 27, lines 18-22).

Regarding claim 12, ATVEF teaches the processing step of navigating within a container HTML page (see page 17, line 24-page 18, line 26).

Regarding claim 13, ATVEF teaches the processing step of invoking a script within a container HTML page (see page 17, line 24-page 18, line 26).

Regarding claim 14, Shoff et al. discloses the supplemental content can be automatically displayed in response to launching the Internet browser (see col. 3, lines 25-27). Inherently, the enhancing content and the triggers are sent together.

Regarding claim 15, Shoff et al. discloses delivering the streaming content, the enhancing content, and the triggers from a same source (see figure 2).

Regarding claim 16, Shoff et al. discloses delivering the enhancing content from a first source and delivering the streaming content and the triggers from a second source different from the first source (see figure 4).

Regarding claim 17, Shoff et al. discloses displaying the enhancing content together with the streaming content (see figures 8a-8c).

Regarding claim 19, the limitations of claim direct toward embody the method of claim 9 in a "computer readable medium". It would have been obvious to embody the procedure of Shoff and ATVEF discussed with respect to claim 9 in a "computer readable medium" in order that a processor could automatically perform the instruction.

Regarding claim 20, Shoff et al. discloses a method of displaying streaming content (see figure 6);
storing the selected data structure 48 (see figure 9);
monitoring the trigger address at the time specified in the selected announcements to receive corresponding triggers; and processing the triggers to cause receiving one or more data files having the enhancing content (see figures 3, 6,7);
However, Shoff does not specifically disclose monitoring an announcement address to receive announcement; the announcement containing information that specify times at which to receive upcoming triggers; filtering the announcements to retain selected announcements.

ATVEF teaches monitoring an announcement address to receive announcement; the announcement containing information that specify times at which to receive upcoming triggers; filtering the announcements to retain selected announcements (see page 26, line 25-page 30, line 11). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shoff to incorporate the features as taught by ATVEF in order to provide a high security to the receiver and notify user in advance the time to activate the enhancing content thereby increase efficiency for the receiver.

Regarding claim 21, Shoff et al. discloses caching the data files (see figure 9).

Regarding claim 22, Shoff et al. discloses presenting the streaming content and enhancing content using an HTML page (see col. 12, line 48-col. 14, line 41).

Regarding claim 23, ATVEF teaches using information from the trigger to invoke a script; and executing the script to enhance the streaming content (see page 6, line 19-20 and page 12, lines 26-27).

Regarding claim 25, the limitations of claim direct toward embody the method of claim 20 in a "computer readable medium". It would have been obvious to embody the procedure of Shoff and ATVEF discussed with respect to claim 20 in a "computer readable medium" in order that a processor could automatically perform the instruction.

Regarding claim 28, the limitations of claim direct toward embody the method of claim 20 in a "computer readable medium". It would have been obvious to embody the procedure of Shoff and ATVEF discussed with respect to claim 20 in a "computer readable medium" in order that a processor could automatically perform the instruction.

Regarding claim 30, Shoff et al. discloses a system for synchronizing streaming content with enhancing content, comprising:

the head end 22 reads on the content server being claimed;

the viewer computing unit 62 reads on the client being claimed (see figure 4);

The client processing the triggers to coordinate presentation of the enhancing content

with the streaming content (see figures 8c). However, Shoff does not specifically disclose the announcement comprises time to receive the triggers; monitoring the IP address at the time specified in the announcements to receive the triggers

ATVEF teaches monitoring an announcement address to receive announcement; the announcement containing information that specify times at which to receive upcoming triggers; filtering the announcements to retain selected announcements (see page 26, line 25-page 30, line 11). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shoff to incorporate the features as taught by ATVEF in order to provide a high security to the receiver and notify user in advance the time to activate the enhancing content thereby increase efficiency for the receiver.

Regarding claim 31, the elements of the system being claimed correspond to the elements of the method being claimed in claim 2 and are analyzed as discussed in the rejection of claim 2).

Regarding claim 32, Shoff et al. discloses the client receives the enhancing content according to a predetermined protocol and caches the enhancing content (see figures 5 and 9).

Regarding claim 33, the elements of the system being claimed correspond to the elements of the method being claimed in claim 12 and are analyzed as discussed in the rejection of claim 12).

Regarding claim 34, the elements of the system being claimed correspond to the elements of the method being claimed in claim 13 and are analyzed as discussed in the rejection of claim 13).

Regarding claim 35, the elements of the system being claimed correspond to the elements of the method being claimed in claim 15 and are analyzed as discussed in the rejection of claim 15).

Regarding claim 36, the elements of the system being claimed correspond to the elements of the method being claimed in claim 16 and are analyzed as discussed in the rejection of claim 16).

Regarding to claim 38, Shoff discloses receiving data structure from the head end, the data structure contains information of the upcoming enhancing content and streaming content as well as the IP address (see figure 3). When the viewer tunes to a particular channel, the viewer computing unit consults the EPG to determine if the present program is interactive. If it is, the viewer computing-unit launches an interactive support module, such as an Internet browser. This browser is kept in memory and is

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dynamically loadable for execution on the processor when the viewer tunes to a channel carrying a video content program that the EPG identifies as interactive. The supplemental content can be automatically displayed in response to launching the Internet browser. The target resource contains enhancing supplemental content and display layout instruction prescribing how the supplemental content and the video content program are to appear in relation to one another when displayed on the television (see col. 3, lines 14-52). Inherently, the system comprising: a video software control to play video content; the announcements containing information that specify a trigger IP address at which to receive upcoming triggers; and a rendering component to present the video content and to enhance the video content with the enhancing content according to instruction received in the triggers. However, Shoff does not specifically disclose a listener to monitor an announcement IP address to receive announcements, the announcements containing information that specify times at which to receive upcoming triggers, the listener further monitoring the trigger IP address at the times specified by the announcements to receive corresponding triggers;

ATVEF teaches listener to monitor an announcement IP (Internet Protocol) address to receive announcement pertaining to enhancing content for enhancing the video content, the announcement containing information that specify times at which to receive upcoming triggers, the listener further monitoring the trigger IP address at the times specified by the announcements to receive corresponding triggers (see page 12, lines 21-31, page 16, lines 27-33, page 26, line 28-page 28, line 18). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made

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to modify Shoff to incorporate the features as taught by ATVEF in order to provide a high security system and notify upcoming event to viewer.

Regarding claim 39, Shoff et al. further discloses storage for hold the announcements in correlation with the identity of the video content (see figure 5).

Regarding claim 40, Shoff et al. further discloses cache for hold the announcements in correlation with the identity of the video content (see figure 5).

Regarding claim 41, ATVEF teaches "listener" and video control are contained within an HTML page rendered by the rendering component (see page 5, lines 6-17).

Regarding claim 42, ATVEF teaches the HTML page also has one or more scripts to process the instructions contained in the triggers (see page 6, lines 15-37).

7. Claims 7, 18, 24, 29, 37 are rejected under 35 U.S.C. 102(e) as being anticipated by Shoff et al. (US 6,240,555) and in view "Advanced Television Enhancement Forum Specification (ATVEF) and further in view of Nawaz et al. (US 6,421,649).

Regarding claim 7, Shoff in view of ATVEF teaches a method as discussed in the rejection of claim 1. However, neither Shoff nor ATVEF specifically discloses displaying the enhancing content as a ticker.

Nawaz teaches displaying the enhancing content as a ticker (see figure 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shoff and ATVEF to incorporate the feature as taught by Nawaz in order to provide a fixed location of enhancing content on the screen.

Regarding claim 18, Shoff in view of ATVEF teaches a method as discussed in the rejection of claim 9. However, neither Shoff nor ATVEF specifically discloses enhancing content comprises a ticker, delivery triggers that contain items for the ticker; displaying the ticker together with the streaming content; and presenting the items from the triggers within the ticker.

Nawaz teaches enhancing content comprises a ticker; displaying the ticker together with the streaming content wherein streaming content is displayed in window 108; delivery triggers that contain items for the ticker and presenting the items from the triggers within the ticker (see figure 3, col. 7, line 44-col. 8, line 23). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shoff and ATVEF to incorporate the features as taught by Nawaz in order to allow users know locations of ticker display panel.

Regarding claim 24, Shoff in view of ATVEF teaches a method as discussed in the rejection of claim 20. However, neither Shoff nor ATVEF specifically discloses

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receiving triggers that contain items for a ticker; displaying the ticker together with the streaming content; and presenting the items from the triggers within the ticker.

Nawaz teaches receiving triggers that contain items for a ticker; displaying the ticker together with the streaming content wherein streaming content is displayed in window 108; delivery triggers that contain items for the ticker and presenting the items from the triggers within the ticker (see figure 3, col. 7, line 44-col. 8, line 23). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shoff and ATVEF to incorporate the features as taught by Nawaz in order to allow users know locations of ticker display panel.

Regarding claim 29, Shoff in view of ATVEF teaches a method as discussed in the rejection of claim 28. However, neither Shoff nor ATVEF specifically discloses each trigger containing at least one item; and presenting a ticker that contains the items.

Nawaz teaches each trigger containing at least one item; and present a ticker that contains the items (see figure 3, col. 7, line 44-col. 8, line 23). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shoff and ATVEF to incorporate the features as taught by Nawaz in order to allow users know locations of ticker display panel.

Regarding claim 37, Shoff in view of ATVEF teaches a method as discussed in the rejection of claim 30. However, neither Shoff nor ATVEF specifically discloses the triggers contain items for a ticker and the client display the ticker together with the streaming content.

Nawaz teaches the triggers contain items for a ticker and the client display the ticker together with the streaming content (see figure 3, col. 7, line 44-col. 8, line 23). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shoff and ATVEF to incorporate the features as taught by Nawaz in order to allow users know locations of ticker display panel.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Seidman et al. (US 6,298,482) teaches monitoring announcements based on "message filtering data" (col. 7, lines 25-34).

Zigmond (WO 99/66719) discloses techniques for intelligent video ad insertion based on received triggers.

Duvall et al. (US 5,884,033) discloses internet filtering system for filtering data transferred over the internet utilizing immediate and deferred filtering actions.

Maa (US 5,818,935) discloses Internet enhanced video system.

Hoyle (US 6,141,010) discloses computer interface method and apparatus with targeted advertising.

Straub et al. (US 6,216,141) discloses system and method for integrating a document into a desktop window on a client computer.

Kate (WO 98/53611) discloses transmission and reception of television programs.

Klosterman et al. (US 5,940,073) discloses method and system for displaying other information in a TV program guide.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P Huynh whose telephone number is 703-305-1889. The examiner can normally be reached on 8:00-5:30.

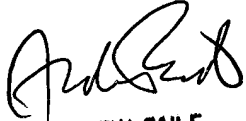
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone numbers for

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the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is 703-306-0377.

Son P. Huynh
December 19, 2002


ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600